

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
)
)
 v.)
)
 2) ELIZABETH CORTES,)
 Defendant.)

Criminal No. 05-30035-MAP 3 P 12:25

FILED
IN CLERK'S OFFICE

U.S. DISTRICT COURT
DISTRICT OF MASS.

GOVERNMENT'S FOURTH MOTION FOR ENTRY
OF AN ORDER OF EXCLUDABLE DELAY

Now comes the United States, by its undersigned attorneys,
and hereby moves that the Court enter an Order of Excludable
Delay from October 2, 2006, through January 8, 2007, pursuant to
18 U.S.C. § 3161(h)(8)(A). The government relies on the
following in support thereof.

During the October 17, 2005 Status Conference the defendant
requested time within which to review discovery including CD's
and DVD's of the charged drug transaction. The Court continued
the case until November 29, 2005, for a Pretrial Conference.
During the November 29, 2005, Pretrial Conference the defendant
requested more time to access and review the DVD's. Further, the
defendant requested more time for reasons stated at a sealed side
bar conference.

On December 21, 2005, the defendant failed to report to
Pretrial Services and an arrest warrant was issued. In July of
2006, the defendant was arrested in Puerto Rico by the United

States Marshals Service pursuant to the default warrant. The defendant made an Initial appearance on August 21, 2006, and a Status Conference was held on August 29, 2006. During the Status Conference counsel for the defendant requested time within which to talk to the defendant in order to determine whether there would be a trial or a change of plea. The Court then scheduled another Status Conference for October 2, 2006.

During the October 2, 2006, Status Conference the defendant, through counsel, requested time within which to both collect medical records of the defendant in order to attempt to resolve the case without a trial, and to prepare for trial if necessary.

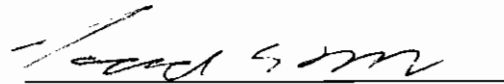
The exclusion of this time from the Speedy Trial time period is in the interests of justice. The defendant assents to this motion.

Therefore, the government moves that the Court exclude the time between October 2, 2006, and January 8, 2007, from the speedy trial time period pursuant to 18 U.S.C. §3161(h)(8)(A).

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By:

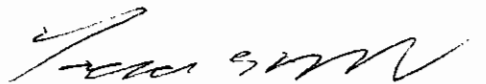

TODD E. NEWHOUSE
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

Hampden, ss.

Springfield, Massachusetts
October 2, 2006

I, Todd E. Newhouse, Assistant U.S. Attorney, do hereby certify that I have served, by first class mail, a copy of the foregoing, to all counsel of record.

A handwritten signature in black ink, appearing to read "Todd E. Newhouse", written over a horizontal line.

TODD E. NEWHOUSE
Assistant U.S. Attorney